Add new claim 8 as follows:

- -8.   A method according to claim 1 wherein the process model is used to educate users within an

organisation as to how the organisation processes function.- -

Attached hereto are additional pages reflecting a clean version of the claims.

REMARKS

The Office Action dated September 25, 2002 has been fully considered by the Applicant.

The Examiner's objections and comments under 35 USC § 112 have been addressed.

Claims 1- 7 have initially been rejected under 35 USC § 103(a) as being unpatentable over

Kodosky (US 6,173,438) in view of DeLong (US 5,892,947).

Having reviewed the Kodosky patent which has been cited as the primary objection to the

current application, we can comment as follows:

Kodosky relates to a method in which embedded system components are controlled

completely through a graphical process interface. In the current patent application, although the

overall process-driven information system is created by the method, the components of the system

to which the system interacts are not embedded and instead can be developed and exist

independently. Furthermore the process-driven information system has value without any connection

to system components, as for example in usage as a training resource. These points are now clearly

illustrated with the amendments to the accompanying claims.

The skilled person, having been provided with the Kodosky patent, is taught that it is

possible, via the generation and use of a graphical model, to control a range of embedded devices

in an embedded system. The Kodosky patent describes in detail how the graphical model is created by the user and how, by the user interaction with the graphical model, the appropriate connections and control parameters can be set for the embedded devices.

However, Kodosky does not suggest or envisage the advantages which can be obtained in creating and deploying an information system for an organisation in accordance with the present invention where a number of elements of a process are identified as requiring system support and, for each of these process elements, software components are either created or, if already created, identified. As now amended, Claim 1 (b) and (c) specifically set forth these limitations.

A key difference therefore between Kodosky and the current patent application is that Kodosky already has a preset embedded system with which the user of the graphical model must interact in order for it to operate. Although this is a valid thing to do in Kodosky's domain of embedded systems control, it is incorrect for the Examiner to suggest that an advantage would be recognised or possible in applying this method with respect to software components for a range of elements in a process driven information system as described in the current application.

The lack of applicable teaching by Kodosky to the skilled person with respect to the current application is further emphasised by the fact that the field of use of the current application is in relation to the generation of business models and organization applications. This is completely different to that of Kodosky, which is related to control systems incorporating an embedded operating system such as, for example, in industrial applications for processes and/or control systems.

Furthermore, in Kodosky, the graphical models are created as a method for controlling the embedded system. They are not provided for the purpose of the current application where a process

model is developed for the information system requirements of the development of system components, educating organisational users in how the organisational processes work a d interact, and indeed communicating a visual representation of the organisation to interested third parties such as potential investors. The current application also provides the ability to provide access to information resources which are required by the user to perform a function using the system presented to them, a feature which is not present in the Kodosky patent.

On another level, in the Kodosky patent, when developing and subsequently using the graphical modelling system, the embedded systems are already known and provided, with Kodosky providing what is claimed to be a particularly advantageous way of user interaction with the embedded system. In the current application, a whole range of software components can be provided or, if required and not provided, created, with the current application, upon the identification of an element, finding or creating the software components required to operate that element. As a result of this, an information system is deployed for use such that if the user selects a particular element in the process, the software support components which have been created and/or found, are accessed and utilized. Thus, in the present application, the element is first identified and then the underlying components which are required are created or identified to allow that element to function within the model. In Kodosky, the embedded devices are already present and therefore it is known that they will operate, the Kodosky patent is merely a means for creating a graphical model to improve the user interface with said embedded devices, not for creating the whole system, including the elements therein.

The Examiner further suggests that the teaching of Kodosky can be combined with that from other patents such as DeLong (US 5,892,947) which shows an interface. However, for the reasons

indicated above, Kodosky is in a different environment to that of the current application and, as such, the skilled person would not obviously combine the documents in the manner suggested.
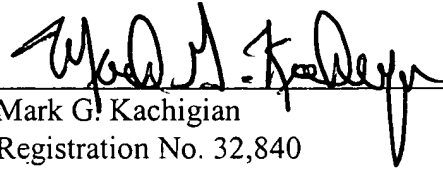
The Applicant respectfully disagrees with the Examiner's rejection of the afore stated claims under 35 USC 103(a). Specifically, the combination of references, taken together, does not disclose the limitations of Claims 1-7. Moreover, there is no teaching, suggestion, or disclosure that would support the combination of the Kodosky and DeLong references in the manner suggested by the Examiner. Absent some suggestion or motivation supporting the combination of references, the references may not properly be combined. "The mere fact that references *can* be combined or modified does not render the resulting combination obvious unless the prior art suggests the desirability of the combination". M.P.E.P. Section 2143.01 (Emphasis in original). Further, it is necessary for the Examiner to set forth *evidence* that one of ordinary skill in the art would have been led to combine the teaching of the applied references. Accordingly, Applicant respectfully submits that Claims 1-7 are allowable over the art of record.

Attached hereto is a Request For One-Month Extension of Time along with a check in the amount of $110.00 to cover the filing fees.

If Examiner Gubiotti believes that any additional amendments are required to place the claims in form for allowance he is respectfully invited to call the undersigned at (918) 587-2000 so that any remaining amendments can be taken care of in a telephone interview to thereby expedite allowance of the patent.

It is believed that the application is now in condition for allowance and such action is

earnestly solicited.

Respectfully submitted,

Mark G. Kachigian
Registration No. 32,840
Head, Johnson & Kachigian
228 West 17th Place
Tulsa, Oklahoma 74119

Date: February 12, 2003   Attorneys for Applicant